

IN THE SENATE OF THE UNITED STATES.

MAY 29, 1858.—Ordered to be printed.

Mr. POLK submitted the following

REPORT.

The Committee on Claims, to whom was referred the petition of George W. Bluford, report:

The petitioner contracted in the usual form to transport 618 barrels of pork from the navy yard at Gosport, Virginia, to the navy yard at Brooklyn, New York. The pork was shipped on board the schooner Jamestown, and the usual bill of lading given therefor. Fifty-eight barrels were lost on the passage.

The petitioner alleges that the government officers in charge insisted that all the pork should be taken on board, notwithstanding they were informed that a portion of it would have to be stored on deck, and that the vessel would be overloaded; and further, that, in consequence of such overloading, during a gale on the voyage, it became necessary to lighten the vessel by throwing a quantity of the pork overboard.

The United States libelled the Jamestown for the value of the pork lost, and after a full hearing before the United States district court for the eastern district of Virginia, a decree was rendered in favor of the government for the sum of \$771 99, with interest, &c. The vessel having been released on bond, execution was issued for the recovery of the amount of the judgment, and returned by the marshal "*nulla bona.*" The petitioner asks to be released from liability.

The committee think that it would be inexpedient and unsafe for Congress to undertake to revise and overrule, by special legislation, the judicial decisions of the courts in the exercise of their proper jurisdiction. No circumstances connected with the facts or proceedings in this case appear to the committee to justify or call for a departure from the above principle, and they therefore report the following resolution:

Resolved, That the claimant is not entitled to relief.

